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EXHIBIT #1

510(K) SUMMARY

This summary of 5l0(k) safety and effectiveness information is being submitted in accordance with the requirements of SMDA l990 and 21 CFR §807.92.

The assigned 5l0(k) number is: K034023

1. Submitter's Identification:

Microlife Intellectual Property GmbH, Switzerland
Max Schmidheiny-Strasse 201
9435 Heerbrugg / Switzerland

Date Summary Prepared: December 23, 2003

Contact: Mr. Gerhard Frick

2. Name of the Device:

Microlife Digital Infrared Ear Thermometer, Model IR1DE1-1

3. Information for the 510(k) Cleared Device (Predicate Device):

Microlife Digital Infrared Ear Thermometer, Model IR1DE1, K#020725

4. Device Description:

The Microlife Digital Infrared Ear Thermometer, Model IR1DE1-1 is an electronic thermometer using an infrared sensor (thermopile) to detect body temperature from the auditory canal. Its operation is based on measuring the natural thermal radiation emanating from the tympanic membrane and the adjacent surfaces.

The Microlife Digital Infrared Ear Thermometer, consists mainly of five parts:

a) IR Thermopile Sensor

b) ASIC

c) E^2 PROM IC

d) LCD and Blacklight

e) Key "2, Buzzer" 1

5. **Intended Use:**

The device is an electronic clinical thermometer using an infrared sensor to detect body temperature from the auditory canal in the neonatal, pediatric and adult population used in the home setting.

This device is used probe cover free.

6. **Comparison to the 510(k) Cleared Device (Predicate Device):**

The Microlife Digital Infrared Ear Thermometer, Model IR1DE1-1 is substantially equivalent to the original Microlife Digital Infrared Ear Thermometer, Model IR1DE1.

The new model, IR1DE1-1, has the same intended use and is similar in design to the 510(k) cleared device.

The IR1DE1-1 is identical in functionality and performance, with the only difference being that the device is to be used probe cover free, and, the PCB layout of the device. The working environmental specification of 5-40 degree C, temperature measurements algorithm and its software codes of the modified devices remains unchanged.

The fundamental scientific technology of the modified device remains the same as that of the 510(k) cleared device. The Microlife IR1DE1-1 device works with a only a 1-second called a "normal mode".

7. **Discussion of Non-Clinical Tests Performed for Determination of Substantial Equivalence are as follows:**

Compliance to applicable voluntary standards includes ASTM E-1965-98, as well as IEC 60601-1 and IEC 60601-1-2 requirements.

Guidance documents included the "FDA Guidance On The Content of Premarket Notification (510(k)) Submissions for Clinical Electronic Thermometers", "Deciding When to Submit a 510(k) for a Change to An Existing Devices", and, "The New 510(k) Paradigm: Alternate Approaches to Demonstrating Substantial Equivalence in Premarket Notifications".

8. **Discussion of Clinical Tests Performed:**

Controlled human clinical studies were conducted for the Microlife Digital Infrared Ear Thermometer modified devices to validate the effectiveness of use without a probe cover.

9. **Conclusions:**

The Microlife Digital Infrared Ear Thermometer, Model IR1DE1-1 has the same intended use and technological characteristics as the unmodified model IR1DE1. Moreover, verification and validation tests contained in this submission demonstrate that the modified portions maintained its original safety and effectiveness. These engineering changes do not: (1) affect the intended use or (2) alter the fundamental scientific technology of the device.

DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
9200 Corporate Boulevard
Rockville MD 20850

JAN 1 5 2004

Microlife Intellectual Property GmbH
C/O Ms. Susan D. Goldstein-Falk
Official Correspondent
MDI Consultants, Incorporated
55 Northern Boulevard, Suite 200
Great Neck, New York 11021

Re: K034023
Trade/Device Name: Digital Infrared Ear Thermometer, Model IR1DE1-1
Regulation Number: CFR 21 880.2910
Regulation Name: Clinical Electronic Thermometer
Regulatory Class: II
Product Code: FLL
Dated: December 23, 2003
Received: December 29, 2003

Dear Ms. Falk:

We have reviewed your Section 510(k) premarket notification of intent to market the device referenced above and have determined the device is substantially equivalent (for the indications for use stated in the enclosure) to legally marketed predicate devices marketed in interstate commerce prior to May 28, 1976, the enactment date of the Medical Device Amendments, or to devices that have been reclassified in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (Act) that do not require approval of a premarket approval application (PMA). You may, therefore, market the device, subject to the general controls provisions of the Act. The general controls provisions of the Act include requirements for annual registration, listing of devices, good manufacturing practice, labeling, and prohibitions against misbranding and adulteration.

If your device is classified (see above) into either class II (Special Controls) or class III (PMA), it may be subject to such additional controls. Existing major regulations affecting your device can be found in the Code of Federal Regulations, Title 21, Parts 800 to 898. In addition, FDA may publish further announcements concerning your device in the Federal Register.

Please be advised that FDA's issuance of a substantial equivalence determination does not mean that FDA has made a determination that your device complies with other requirements of the Act or any Federal statutes and regulations administered by other Federal agencies. You must comply with all the Act's requirements, including, but not limited to: registration and listing (21 CFR Part 807); labeling (21 CFR Part 801); good manufacturing practice requirements as set forth in the quality systems (QS) regulation (21 CFR Part 820); and if applicable, the electronic product radiation control provisions (Sections 531-542 of the Act); 21 CFR 1000-1050.

This letter will allow you to begin marketing your device as described in your Section 510(k) premarket notification. The FDA finding of substantial equivalence of your device to a legally marketed predicate device results in a classification for your device and thus, permits your device to proceed to the market.

If you desire specific advice for your device on our labeling regulation (21 CFR Part 801), please contact the Office of Compliance at (301) 594-4618. Also, please note the regulation entitled, "Misbranding by reference to premarket notification" (21CFR Part 807.97). You may obtain other general information on your responsibilities under the Act from the Division of Small Manufacturers, International and Consumer Assistance at its toll-free number (800) 638-2041 or (301) 443-6597 or at its Internet address http://www.fda.gov/cdrh/dsma/dsmamain.html

Sincerely yours,

Chiu Lin, Ph., D.
Director
Division of Anesthesiology, General Hospital,
Infection Control and Dental Devices
Office of Device Evaluation
Center for Devices and
Radiological Health

Enclosure

Exhibit B

510(k) Number (if known): K034023

Device Name: Digital Infrared Ear Thermometer, Model IR1DE1-1

Indications For Use:

The device is an electronic clinical thermometer using an infrared sensor to detect body temperature from the auditory canal in the neonatal, pediatric and adult population used in the home setting.

(PLEASE DO NOT WRITE BELOW THIS LINE-CONTINUE ON ANOTHER PAGE IF NEEDED)

Concurrence of CDRH, Office of Device Evaluation (ODE)

Prescription Use ____ **OR** **Over-The-Counter Use** √
(Per 21 CFR 801.109) **(Optional Format 1-2-96)**

(Division Sign-Off)
Division of Anesthesiology, General Hospital,
Infection Control, Dental Devices

510(k) Number K034023